IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 11TH SEPTEMBER 2007 / 20TH BHADRA 1929

Bail Appl..No. 5495 of 2007()

AGAINST THE JUDGEMENT/ORDER IN BA.5087/2007 Dated 21/08/2007
CMP.2984/2007 of J.M.F.C.-I, ALUVA
CRIME NO.1099 OF 2006 OF ALUVA POLICE STATION

.....

: PETITIONER/4TH ACCUSED

VIJUKUMAR, AGED 32 YEARS,
S/O. BALAKRISHNAN, KUTTIYAR HOUSE,
NEAR MOSQUE, KODIKUTHUMALA,
ALUVA EAST VILLAGE.

BY ADV. SRI.DINESH MATHEW J.MURICKEN

RESPONDENTS:

STATE OF KERALA, REPRESENTED BY THE
CIRCLE INSPECTOR OF POLICE, ALUVA POLICE STATION
THROUGH THE PUBLIC PROSECUTOR, HIGH COURT OF
KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.GIKKU JACOB

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 11/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.No.5495 of 2007

Dated this the 11th day of September, 2007

ORDER

Second application for regular bail. An earlier application was dismissed as per order dated 21.08.07 in B.A.No.5087 of 2007. I have adverted to facts in detail in the said order. This order is to be read in continuation of the said order. That application was dismissed with the observation that the petitioner shall be at liberty to move this Court for bail again at a later stage of investigation, not at any rate prior to 4.9.07. Accordingly this application has been filed. The petitioner faces allegations under Section 395 I.P.C. He is the 4th accused. Accused 1 to 6 had allegedly committed the offence punishable under Section 395 I.P.C. They had various roles to play in the commission of the highway robbery. The allegations are serious.

2. The application is opposed by the learned Public Prosecutor . Investigation is not complete, it is submitted.

3. Having considered all the relevant inputs, I find merit in the opposition by the learned Public Prosecutor . I am satisfied that the petitioner does not deserve to be enlarged on bail even at this stage.

4. This application for regular bail is, in these circumstances, dismissed, but with the observation that the petitioner shall be at liberty to move this Court or Sessions Court for bail again at a later stage of the investigation - not, at any rate, prior to 25.09.07. The investigator shall in the meantime make every endeavour to complete the investigation.

(R.BASANT, JUDGE)

rtr/-